

1 Hon. Benjamin H. Settle
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Jewel Mosley, individually and as Legal
Guardian for her minor child, T.E.,

Plaintiff,

v.

Hain Celestial Group, Inc.; Nurture, Inc.;
Danone S.A; Plum, PBC, d.b.a. Plum
Organics; Campbell Soup Company; Beech-
Nut Nutrition Company; Gerber Products
Company; Nestle S.A.; and Walmart, Inc.

Defendants.

Case No. 3:23-cv-06176-BHS

STIPULATED MOTION AND ORDER TO (1)
EXTEND PLAINTIFF'S DEADLINE TO FILE
AN OPPOSITION TO DEFENDANTS' MOTION
TO DISMISS; (2) EXTEND DEFENDANTS'
DEADLINE TO FILE REPLIES IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS; AND
(3) EXTEND DEADLINES TO HOLD FRCP
26(F) CONFERENCE, SERVE INITIAL
DISCLOSURES, AND FILE COMBINED JOINT
STATUS REPORT AND DISCOVERY PLAN

**NOTE ON MOTION CALENDAR: March 8,
2024**

WHEREAS, on February 16, 2024, Defendants Hain Celestial Group, Inc., Nurture, LLC
(formerly known as Nurture, Inc.), Plum, PBC, Beech-Nut Nutrition Company, Gerber Products
Company, and Walmart Inc. filed a Motion to Dismiss Plaintiff's Complaint.

WHEREAS, on February 16, 2024, Defendant Campbell Soup Company also filed a Motion
to Dismiss Plaintiff's Complaint.

WHEREAS the current deadline for Plaintiff's opposition to Defendants' motions to dismiss
is March 11, 2024, and the current deadline for Defendants to file and serve their replies in support of
their motions to dismiss is March 15, 2024.

WHEREAS, a petition to consolidate this case is currently pending before the Judicial Panel

STIPULATED MOTION AND ORDER TO
EXTEND DEADLINES - 1

WISNER BAUM, LLP
Pedram Esfandiary
11111 Santa Monica Blvd, Ste 1750
Los Angeles, California 90025

1 on Multi-District Litigation and set to be heard on March 28, 2024.

2 WHEREAS, the parties agree that Plaintiff shall be afforded an extension to May 10, 2024, to
3 file his opposition.

4 WHEREAS, the parties agree that Defendants shall be afforded an extension to May 24, 2024,
5 to file their reply.

6 WHEREAS, the parties agree that the noting date on Defendants' motion to dismiss shall be
7 continued from March 15, 2024 to May 24, 2024.

8 WHEREAS, the Court's Order dated January 19, 2024, set the following deadlines:

9	Deadline for FRCP 26(f) Conference:	April 4, 2024
10	Initial Disclosures Pursuant to FRCP 26(a)(1):	April 11, 2024
11	Combined Joint Status Report and Discovery Plan as 12 Required by FRCP 26(f) and Local Civil Rule 26(f):	April 18, 2024

13 WHEREAS, the parties agree to extend the deadlines set by the Court's Order dated January
14 19, 2024, until after the briefing on Defendants' motions to dismiss, as follows:

15	Deadline for FRCP 26(f) Conference:	June 14, 2024
16	Initial Disclosures Pursuant to FRCP 26(a)(1):	June 28, 2024
17	Combined Joint Status Report and Discovery Plan as 18 Required by FRCP 26(f) and Local Civil Rule 26(f):	July 12, 2024

20 WHEREAS, the parties have not sought a prior extension, and this stipulation is made in good
21 faith and not for the purpose of delay.

22 **IT IS HEREBY STIPULATED** and agreed by and between Plaintiff and Defendants Hain
23 Celestial Group, Inc.; Nurture, LLC (formerly known as Nurture, Inc.); Plum, PBC; Campbell Soup
24 Company; Beech-Nut Nutrition Company; Gerber Products Company; and Walmart Inc., by and
25 through their respective counsel of record, subject to approval by the Court, that:

26 1. The deadline for Plaintiff to file an opposition to Defendants' Motions to Dismiss is
27 extended to May 10, 2024;

- 1 2. The deadline for Defendants to file replies in support of Defendants' Motions to
- 2 Dismiss is extended to May 24, 2024;
- 3 3. The noting date to Defendants' Motions to Dismiss is continued from March 15, 2024
- 4 to May 24, 2024;
- 5 4. The deadline for the parties to hold a FRCP 26(f) Conference is continued from April
- 6 4, 2024 to June 14, 2024;
- 7 5. The deadline for the parties to serve Initial Disclosures is continued from April 11,
- 8 2024 to June 28, 2024; and
- 9 6. The deadline for the parties to file a Combined Joint Status Report and Discovery Plan
- 10 as Required by FRCP 26(f) and Local Civil Rule 26(f) is continued from April 18,
- 11 2024 to July 12, 2024.

12 Dated: March 8, 2024

LAW OFFICE OF DANIEL P. MALLOVE, PLLC

13 By: /s/ Daniel P. Mallove

14 Daniel P. Mallove, WSBA No. 13158
15 2003 Western Avenue, Suite 400
16 Seattle, WA 98121
17 (206) 239-9933
18 dmallove@dpmlaw.com

19 WISNER BAUM LLP

20 By: /s/ Pedram Esfandiary

21 Pedram Esfandiary (SBN: 312569)
22 11111 Santa Monica Blvd., Suite 1750
23 Los Angeles, CA 90025
24 (310) 207-3233
25 pesfandiary@wisnerbaum.com

26 *Attorneys for Plaintiff*

27 Dated: March 8, 2024

SCHWABE, WILLIAMSON & WYATT, P.C.

28 By: /s/ Karleen J. Scharer (per email authority)

29 Karleen J. Scharer, WSBA No. 48101
30 Ryan J. Roberts, WSBA No. 58161
31 1420 Fifth Avenue, Suite 3400
32 Seattle, WA 98101
33 (206) 622-1711
34 kscharer@schwabe.com

35 STIPULATED MOTION AND ORDER TO
36 EXTEND DEADLINES - 3

37 WISNER BAUM, LLP

38 Pedram Esfandiary

39 11111 Santa Monica Blvd, Ste 1750
40 Los Angeles, California 90025

1 rroberts@schwabe.com
2

3 *Attorneys for Defendant The Hain Celestial Group,
4 Inc.*

5 Dated: March 8, 2024
6

7 DLA PIPER LLP (US)
8

9 By: /s/ Anthony Todaro (per email authority)

10 Anthony Todaro, WSBA No. 30391
11 701 Fifth Avenue, Suite 6900
12 Seattle, WA 98104
13 (206) 839-4800
14 anthony.todaro@us.dlapiper.com

15 *Attorneys for Defendant Nurture, LLC (formerly
16 known as Nurture, Inc.)*

17 Dated: March 8, 2024
18

19 PERKINS COIE LLP
20

21 By: /s/ Laura Hill (per email authority)

22 Laura Hill, WSBA No. 49229
1201 Third Avenue, Suite 4900
13 Seattle, WA 98101
14 (206) 359-3349
15 LHill@perkinscoie.com

16 Hope S. Freiwald (*pro hac vice*)
17 Katherine Unger Davis (*pro hac vice*)
18 DECHERT LLP
19 2929 Arch Street
20 Philadelphia, PA 19104
21 (215) 994-2514
22 hope.freiwald@dechert.com
23 kate.ungerdavis@dechert.com

24 *Attorneys for Defendant Plum, PBC*

25 Dated: March 8, 2024
26

27 WILLIAMS KASTNER AND GIBBS
28

29 By: /s/ Rodney L. Umberger, Jr. (per email authority)

30 Rodney L. Umberger, Jr., WSBA No. 24948
31 Edward M. Silverman, WSBA No. 53494
32 Two Union Square
33 601 Union Street, Suite 4100
34 Seattle, WA 98101
35 (206) 628-6600
36 rumberger@williamskastner.com
37 esilverman@williamskastner.com
38 Livia Kiser (*pro hac vice*)

39 WISNER BAUM, LLP

40 Pedram Esfandiary

41 11111 Santa Monica Blvd, Ste 1750
42 Los Angeles, California 90025
43

1 Peter Hsiao (*pro hac vice*)
2 Todd Davis (*pro hac vice*)
3 KING & SPALDING LLP
4 633 West Fifth Street, Suite 1600
5 Los Angeles, CA 90071
6 (213) 443-4355
lkiser@kslaw.com
phsiao@kslaw.com
tdavis@kslaw.com

7 *Attorneys for Defendants Beech-Nut Nutrition
Company and Walmart Inc.*

8 Dated: March 8, 2024

9 McNAUL EBEL NAWROT & HELGREN PLLC
10

11 By: /s/ Daniel M. Weiskopf (per email authority)
12 Daniel M. Weiskopf, WSBA No. 44941
600 University Street, Suite 2700
Seattle, WA 98101
(206) 467-1816
dweiskopf@mcnaul.com

13 Bryan A. Merryman (*pro hac vice*)
14 WHITE & CASE LLP
555 South Flower Street, Suite 2700
15 Los Angeles, CA 90071
(213) 620-7700
16 bmerryman@whitecase.com

17 *Attorneys for Defendant Gerber Products Company*
18 COZEN O'CONNOR

19 Dated: March 8, 2024

20 By: /s/ Robert D. Lee (per email authority)
21 Robert D. Lee, WSBA #46682
999 Third Avenue, Suite 1900
Seattle, Washington 98104
Telephone: (206) 340-1000
22 E-mail: rlee@cozen.com

23 Peter M. Ryan (*pro hac vice*)
24 One Liberty Place
1650 Market Street, Suite 2800
25 Philadelphia, PA 19103
Telephone: (215) 665-2130
26 pryan@cozen.com
Joan M. Taylor (*pro hac vice*)
27 One Liberty Place
1650 Market Street, Suite 2800

28 STIPULATED MOTION AND ORDER TO
EXTEND DEADLINES - 5

WISNER BAUM, LLP
Pedram Esfandiary
11111 Santa Monica Blvd, Ste 1750
Los Angeles, California 90025

1 Philadelphia, PA 19103
2 Telephone: (215) 665-2077
3 joantaylor@cozen.com

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5
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9
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Attorneys for Campbell Soup Company

STIPULATED MOTION AND ORDER TO
EXTEND DEADLINES - 6

WISNER BAUM, LLP
Pedram Esfandiary
11111 Santa Monica Blvd, Ste 1750
Los Angeles, California 90025

1 **ORDER**

2 Having read and considered the Stipulated Motion, and good cause appearing, the court
3 **ORDERS** the following:

4 1. The deadline for Plaintiff to file an Opposition to Defendants' Motions to Dismiss is
5 extended to May 10, 2024;

6 2. The deadline for Defendants to file replies in support of Defendants' Motions to Dismiss
7 is extended to May 24, 2024;

8 3. The noting date to Defendants' Motion to Dismiss is continued from March 15, 2024 to
9 May 24, 2024;

10 4. The deadline for the parties to hold a FRCP 26(f) Conference is continued from April
11 4, 2024 to June 14, 2024;

12 5. The deadline for the parties to serve Initial Disclosures is continued from April 11, 2024
13 to June 28, 2024; and

14 6. The deadline for the parties to file a Combined Joint Status Report and Discovery Plan
15 as Required by FRCP 26(f) and Local Civil Rule 26(f) is continued from April 18, 2024
16 to July 12, 2024.

17 **IT IS SO ORDERED.**

18 DATED this 14th day of March, 2024.

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BENJAMIN H. SETTLE
United States District Judge

Presented by:

LAW OFFICE OF DANIEL P. MALLOVE, PLLC

By: /s/ Daniel P. Mallove

Daniel P. Mallove, WSBA No. 13158
dmallove@dpmlaw.com

STIPULATED MOTION AND ORDER TO
EXTEND DEADLINES - 7

WISNER BAUM, LLP
Pedram Esfandiary
11111 Santa Monica Blvd, Ste 1750
Los Angeles, California 90025

1 ///
2 WISNER BAUM LLP
3

4 By: /s/ Pedram Esfandiary
5 Pedram Esfandiary (SBN: 312569)
6 pesfandiary@wisnerbaum.com

7 *Attorneys for Plaintiff*
8

9 SCHWABE, WILLIAMSON & WYATT, P.C.
10

11 By: /s/ Karleen J. Scharer (per email authority)
12 Karleen J. Scharer, WSBA No. 48101
13 Ryan J. Roberts, WSBA No. 58161
14 kscharer@schwabe.com
15 rroberts@schwabe.com

16 *Attorneys for Defendant The Hain Celestial Group*
17

18 DLA PIPER LLP (US)
19

20 By: /s/ Anthony Todaro (per email authority)
21 Anthony Todaro, WSBA No. 30391
22 anthony.todaro@us.dlapiper.com

23 *Attorneys for Defendant Nurture, LLC*
24

25 PERKINS COIE LLP
26

27 By: /s/Laura Hill (per email authority)
28 Laura Hill, WSBA No. 49229
29 LHill@perkinscoie.com

30 Hope S. Freiwald (*pro hac vice*)
31 Katherine Unger Davis (*pro hac vice*)
32 DECHERT LLP
33 hope.freiwald@dechert.com
34 kate.ungerdavis@dechert.com

35 *Attorneys for Defendant Plum, PBC*
36

37 WILLIAMS KASTNER AND GIBBS
38

39 By: /s/ Rodney L. Umberger, Jr. (per email authority)
40 Rodney L. Umberger, Jr., WSBA No. 24948
41 Edward M. Silverman, WSBA No. 53494
42 rumberger@williamskastner.com
43 esilverman@williamskastner.com

44 STIPULATED MOTION AND ORDER TO
45 EXTEND DEADLINES - 8

46 WISNER BAUM, LLP
47 Pedram Esfandiary
48 11111 Santa Monica Blvd, Ste 1750
49 Los Angeles, California 90025

1 Livia Kiser (*pro hac vice*)
2 Peter Hsiao (*pro hac vice*)
3 Todd Davis (*pro hac vice*)
4 KING & SPALDING LLP
5 lkiser@kslaw.com
6 phsiao@kslaw.com
tdavis@kslaw.com

5 *Attorneys for Defendants Beech-Nut Nutrition Company*
6 *and Walmart Inc.*

7 McNAUL EBEL NAWROT & HELGREN PLLC

8 By: /s/ Daniel M. Weiskopf (per email authority)
9 Daniel M. Weiskopf, WSBA No. 44941
10 dweiskopf@mcnaul.com

11 Bryan A. Merryman (*pro hac vice*)
12 WHITE & CASE LLP
13 bmerryman@whitecase.com

14 *Attorneys for Defendant Gerber Products Company*

15 COZEN O'CONNOR

16 By: /s/ Robert D. Lee (per email authority)
17 Robert D. Lee WSBA #46682
18 rlee@cozen.com

19 Peter M. Ryan (*pro hac vice*)
20 Joan M. Taylor (*pro hac vice*)
21 pryan@cozen.com
joantaylor@cozen.com

22 *Attorneys for Campbell Soup Company*

23
24
25
26
27
28 STIPULATED MOTION AND ORDER TO
EXTEND DEADLINES - 9

WISNER BAUM, LLP
Pedram Esfandiary
11111 Santa Monica Blvd, Ste 1750
Los Angeles, California 90025

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on March 8, 2024, I electronically filed the foregoing with the Clerk of
3 Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of
4 record registered in the federal CM/ECF system.

5 */s/ Pedram Esfandiary* _____
6 Pedram Esfandiary